

United States Court of Appeals
For the Eighth Circuit

No. 15-2094

Trista Jones

Plaintiff - Appellant

v.

RK Enterprises of Blytheville, Inc.; Jahid Rahman; Mahmuda Rahman

Defendants - Appellees

Appeal from United States District Court
for the Eastern District of Arkansas - Jonesboro

Submitted: January 26, 2016
Filed: January 29, 2016
[Unpublished]

Before WOLLMAN, ARNOLD, and SMITH, Circuit Judges.

PER CURIAM.

After partially prevailing in an action under the Fair Labor Standards Act (FLSA), Trista Jones appeals from an order of the district court granting a reduced award of attorney's fees.

Following a one-day bench trial, the district court granted judgment in favor of Jones on her FLSA claim against defendants. Jones then sought attorney's fees of \$43,355 and costs of \$1,581.92, supporting her request with counsel's statement of services and his declaration. See 29 U.S.C. § 216(b) (requiring award of "a reasonable attorney's fee" to plaintiff entitled to judgment on FLSA claim). The district court entered an order awarding attorney's fees of \$4,500 and costs of \$1,581.92, without any explanation as to how the court arrived at the \$4,500 figure.

For the following reasons, we conclude that the district court abused its discretion in its award of attorney's fees. See Quigley v. Winter, 598 F.3d 938, 956 (8th Cir. 2010) (standard of review). To determine a reasonable attorney's fee, the district court was required to first calculate a lodestar, by multiplying the number of hours reasonably expended on litigation by a reasonable hourly rate, and to then consider whether the lodestar amount should be reduced, based on appropriate considerations. See Hensley v. Eckerhart, 461 U.S. 424, 433-34 (1983); Quigley, 598 F.3d at 956-57; see also Saizan v. Delta Concrete Prod. Co., Inc., 448 F.3d 795, 799-803 (5th Cir. 2006) (lodestar method is used to calculate appropriate attorney's fee award under FLSA). Here, the district court did not explain how it determined the lodestar, or its reasons for reducing the award from its calculated lodestar. See Hensley, 461 U.S. at 437 (although district court has discretion in determining amount of fee award, it remains important for it to provide concise but clear explanation of its reasons for award); Quigley, 598 F.3d at 957-58 (district court abused its discretion in significantly reducing requested attorney's fee amount when it failed to conduct proper lodestar analysis, and based its decision on unsupported considerations).

Accordingly, we vacate the attorney's fee award and remand the matter to the district court, with directions to determine an attorney's fee award in accordance with the lodestar approach and Hensley.

United States Court of Appeals

For The Eighth Circuit

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January 29, 2016

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RE: 15-2094 Trista Jones v. RK Enterprises of Blytheville, et al

Dear Counsel:

The court has issued an opinion in this case. Judgment has been entered in accordance with the opinion. The opinion will be released to the public at 10:00 a.m. today. Please hold the opinion in confidence until that time.

Please review [Federal Rules of Appellate Procedure](#) and the [Eighth Circuit Rules](#) on post-submission procedure to ensure that any contemplated filing is timely and in compliance with the rules. Note particularly that petitions for rehearing and petitions for rehearing *en banc* must be received in the clerk's office within 14 days of the date of the entry of judgment. Counsel-filed petitions must be filed electronically in CM/ECF. Paper copies are not required. No grace period for mailing is allowed, and the date of the postmark is irrelevant for pro-se-filed petitions. Any petition for rehearing or petition for rehearing *en banc* which is not received within the 14 day period for filing permitted by FRAP 40 may be denied as untimely.

Michael E. Gans
Clerk of Court

MDS

Enclosure(s)

cc: Mr. Jim McCormack
Mr. Garland Watlington
Mr. Joshua L. West

District Court/Agency Case Number(s): 3:13-cv-00252-BRW



15-2094 Trista Jones v. RK Enterprises of Blytheville , et al "per curiam opinion filed" (3:13-cv-00252-BRW)
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Eighth Circuit Court of Appeals

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The following transaction was filed on 01/29/2016

Case Name: Trista Jones v. RK Enterprises of Blytheville,
et al
Case Number: [15-2094](#)
Document(s): [Document\(s\)](#)

Docket Text:

PER CURIAM OPINION FILED - THE COURT: Roger L. Wollman, Morris S. Arnold and Lavenski R. Smith (UNPUBLISHED) [4361357] [15-2094] (Michael Shay)

Notice will be electronically mailed to:

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Document Description: opinion filed

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